

**REMARKS**

Applicant submits that the present amendment is fully responsive to the Office Action dated November 7, 2008 and, thus, the application is in condition for allowance.

By this reply, claims 2, 3, 7, 8, and 12 are cancelled; and claims 1, 6, 11, 16, 18, and 20 are amended. Claims 1, 4-6, 9-11, and 14-20 remain pending. Of these, claims 1, 6, 11, 16, 18, and 20 are independent. An expedited review and allowance of the application is respectfully requested.

In the outstanding Office Action, claims 1, 3, 4 and 16-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Contractor (US Pub. No. 2002/0085687). It is asserted that Contractor discloses a method and network element with all of the limitations of the present invention as recited in the claims. Applicant respectively traverses.

Contractor cannot anticipate the present invention as recited in the pending claims because all of the elements are not disclosed. For example, Contractor does not disclose obtaining location information for a caller from a Gateway Mobile Location Center during establishment of a call to a called party; providing the location information to an intelligent peripheral; converting the location information to voice information at the intelligent peripheral; and connecting the intelligent peripheral to the called party through a voice connection. The structure and functions claimed allow the system to retrieve the location of a mobile device and convert this information into audible information that the recipient of the call may listen to before connecting the call. Contractor does not provide for any of the necessary structure or methods to determine the location of a caller. At most, Contractor discloses an announcement containing a calling party's information from a database (Contractor, Paragraph [0009]). Contractor does not disclose any way of providing for the location of a caller, much less

providing for this in real time. While paragraph [0009] of Contractor mentions city and state, there is no way to gather this information from any type of mobile device. It must be assumed that Contractor is referring to the location of a landline telephone as nowhere in the application is this discussed. As the location information is never gathered in Contractor, it is not possible that Contractor discloses providing this location information to an intelligent peripheral. This intelligent peripheral converts data received to speech and is not limited to data in a database. Furthermore, there is no discussion in Contractor of any connection being made between the intelligent peripheral and the called party. Therefore, the methods and structure of the claimed invention are not found within Contractor. Thus, Contractor cannot anticipate the present invention as recited in the pending claims. For at least this reason, the rejection should be withdrawn.

Dependent claims 3, 4, 17, and 19, which depend upon the independent claims, also cannot be anticipated because they depend on claims which cannot be fairly anticipated or obviated by Contractor, as discussed above. These dependent claims add further features that, in combination with the features presented in the independent claim, clearly further distinguish the claims from any teaching or suggestion by Contractor. For at least these reasons, the rejections should be withdrawn.

In the outstanding Office Action, claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Contractor in view of Park (US Pat. No. 6,434,126). It is asserted that Contractor teaches substantially the same invention as in the present claims but for obtaining the name information using Calling Name Address Presentation (CNAP). It is further asserted that Park cures this deficiency and thus the combination would render the present claim as obvious. Applicant respectfully traverses.

Neither Contractor nor Park, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Contractor fails for the reasons set forth above. At most, Park discloses presenting a caller's name information (Park, Column 1, Lines 50-60). In no way does Park disclose any type of audible location information as claimed and stated above with respect to Contractor. Therefore, Park cannot possibly cure the defects of Contractor stated above with respect to independent claim 1. Thus, even if there was motivation to combine Contractor and Park, *arguendo*, the combination would fail to obviate the present as recited in the pending claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

In the outstanding Office Action, claims 6, 8 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brisebois (US Pat. No. 6,310,944) in view of Contractor. It is asserted that Brisebois teaches substantially the same invention as in the present claims but for converting the location information to voice information, and announcing the voice information. It is further asserted that Contractor cures this deficiency and thus the combination would render the present claim as obvious. Applicant respectfully traverses.

Neither Brisebois nor Contractor, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Brisebois fails for the same reasons set forth above with respect to Contractor. At most, Brisebois discloses gathering context information for a called party (Brisebois, Column 5, Lines 21-31). However, Brisebois does not

provide for any of the steps for gathering the location information of the called party and converting this location information to voice location for the calling party, as disclosed in the present invention. Brisebois only provides for making a request to establish a communication link and then gathering information (Brisebois, Column 5, Lines 21-31). This in no way discloses each of the steps of the claimed method. For instance, there is no direct voice connection between any intelligent peripheral and a calling party. This element is simply not present and cannot be anticipated or obviated by the cited references. Furthermore, the combination with Contractor does not cure the defects as Contractor contains the defects stated above. Thus, even if there was motivation to combine Brisebois and Contractor, *arguendo*, the combination would fail to obviate the present as recited in the pending claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

Because neither Brisebois nor Contractor, alone or in combination, teach all of the elements in the independent claim, the dependent claims, which depend therefrom, also are patentably distinct from any prior art of record. For this reason, Applicant respectfully requests withdrawal of the rejection. Furthermore, there is no motivation to combine any of these references outside of Applicant's own disclosure. Even if they were combinable, *arguendo*, the combination would not be able to obviate the present invention for at least the reasons set forth above. Thus, the rejection of the claims should be withdrawn.

In the outstanding Office Action, claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Brisebois and Contractor in view of Saha (US Pat. No. 6,198,935). It is asserted that Contractor teaches substantially the same invention as in the present claims but for obtaining the location information from a Gateway Mobile Location Center (GMLC). It is further asserted that Saha cures this deficiency and thus the combination would render the

present claim as obvious. This claim has been canceled with elements combined into independent claim 6.

With respect to additions to claim 6, neither Brisebois nor Contractor nor Saha, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Brisebois and Contractor fail for the reasons set forth above. The combination with Saha does not cure the defects. At most, Saha discloses determining the location of a device within a network (Saha, Column 2, Lines 38-40). This in no way obviates the claimed method. The connections and steps provided for in the independent claim are not present in Saha. Saha does not even mention any type of audible information. Therefore, necessary structure lacking in the references to provide for this audible information cannot be found in Saha. Thus, even if there was motivation to combine Brisebois and Contractor and Saha, *arguendo*, the combination would fail to obviate the present as recited in the pending claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

In the outstanding Office Action, claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Brisebois and Contractor in view of Park (US Pat. No. 6,434,126). It is asserted that Contractor teaches substantially the same invention as in the present claims but for obtaining the name information using Calling Name Address Presentation (CNAP). It is further asserted that Park cures this deficiency and thus the combination would render the present claim as obvious. Applicant respectfully traverses.

Neither Brisebois nor Contractor nor Park, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims.

Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Brisebois, Contractor, and Park fail for at least the reasons set forth above. As stated above, Park only discloses presenting a caller's name information (Park, Column 1, Lines 50-60). This in no way cures the deficiencies of the other cited references. Thus, even if there was motivation to combine Brisebois and Contractor and Park, *arguendo*, the combination would fail to obviate the present as recited in the pending claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

In the outstanding Office Action, claims 11, 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Benco (US Pat. No. 6,839,022) in view of Contractor. It is asserted that Benco teaches substantially the same invention as in the present claims but for converting the location information into a voice announcement. It is further asserted that Contractor cures this deficiency and thus the combination would render the present claim as obvious. Applicant respectfully traverses.

Neither Benco nor Contractor, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Benco discloses determining a location of a calling party (Benco, Column 1, Line 65 – Column 2, Line 10). Benco however fails to even mention any type of voice information with respect to this location. Therefore, any of the necessary structure stated above with respect to Contractor can possibly be present. There is no voice connection between an intelligent peripheral and a called wireless device. The combination with Contractor does not cure these defects. Thus, even if there was motivation to combine Benco and Contractor, *arguendo*, the combination would fail to obviate the present as

recited in the pending claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

Because neither Benco nor Contractor, alone or in combination, teach all of the elements in the independent claim, the dependent claims, which depend therefrom, also are patentably distinct from any prior art of record. For this reason, Applicant respectfully requests withdrawal of the rejection. Furthermore, there is no motivation to combine any of these references outside of Applicant's own disclosure. Even if they were combinable, *arguendo*, the combination would not be able to obviate the present invention for at least the reasons set forth above. Thus, the rejection of the claims should be withdrawn.

In the outstanding Office Action, claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Benco and Contractor in view of Saha. It is asserted that Benco teaches substantially the same invention as in the present claims but for the network element being a Gateway Mobile Location Center (GMLC). It is further asserted that Saha cures this deficiency and thus the combination would render the present claim as obvious. Elements of this claim have been added to independent claim 11.

With respect to the addition to claim 11, neither Benco nor Contractor nor Saha, nor any other related art of record, alone or in combination, disclose or fairly suggest the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Benco fails for the reasons set forth above. The combination with Contractor and Saha does not cure the defects as neither Saha nor Contractor alone or in combination contains each of the necessary elements necessary for the system to function. Thus, even if there was motivation to combine Benco and Contractor and Saha, *arguendo*, the combination would fail to

obviate the present as recited in the pending claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

None of the other art of record, cited but not relied upon, alone or in combination, recite, teach or fairly suggest inventions as recited in the pending claims. Thus, the rejections should be withdrawn and the application allowed to proceed to issue.

A ONE (1) month extension of time is hereby requested to enter this amendment. If any other fees are associated with the entering and consideration of this amendment, please charge such fees to our Deposit Account 50-2882.

Applicant respectfully requests an interview with the Examiner to present more evidence of the unique attributes of the present invention in person. As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, Applicant respectfully requests issuance of a Notice of Allowance. If the undersigned attorney can assist in any matters regarding examination of this application, Examiner is encouraged to call at the number listed below.

Respectfully submitted,

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